



General Assembly

February Session, 2006

***Raised Bill No. 224***

LCO No. 1490

\* \_\_\_\_SB00224PD\_\_\_\_031706\_\_\_\_\*

Referred to Committee on Planning and Development

Introduced by:  
(PD )

***AN ACT CONCERNING MUNICIPAL CONTRACT COMPLIANCE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-148u of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) As used in this section:

4 (1) "Small contractor" means any contractor, subcontractor,  
5 manufacturer or service company (A) which has been doing business  
6 and has maintained its principal place of business in the state for a  
7 period of at least one year prior to the date of application for  
8 certification under this section, (B) which had gross revenues not  
9 exceeding three million dollars in the most recently completed fiscal  
10 year prior to such application and (C) at least fifty-one per cent of the  
11 ownership of which is held by a person or persons who are active in  
12 the daily affairs of the business and have the power to direct the  
13 management and policies of the business.

14 (2) "Minority business enterprise" means any small contractor (A)  
15 fifty-one per cent or more of the capital stock, if any, or assets of which

16 are owned by a person or persons (i) who are active in the daily affairs  
17 of the enterprise, (ii) who have the power to direct the management  
18 and policies of the enterprise, and (iii) who are members of a minority,  
19 as such term is defined in subsection (a) of section 32-9n or (B) who is  
20 an individual with a disability.

21 (3) "Individual with a disability" means an individual (A) having a  
22 physical impairment that substantially limits one or more of the major  
23 life activities of the individual or (B) having a record of such an  
24 impairment.

25 (b) Notwithstanding any provision of the general statutes or of any  
26 special act or any municipal charter or home rule ordinance, a  
27 municipality may, by ordinance, set aside in each fiscal year, for award  
28 to small contractors, on the basis of a competitive bidding procedure,  
29 municipal contracts or portions of municipal contracts for the  
30 construction, reconstruction or rehabilitation of public buildings, the  
31 construction and maintenance of highways and the purchase of goods  
32 and services. The total value of such contracts or portions thereof to be  
33 set aside shall be not more than twenty-five per cent of the average of  
34 the total value of all such contracts let by the municipality for each of  
35 the previous three fiscal years, provided a contract that may not be set  
36 aside due to a conflict with a federal law or regulation shall not be  
37 included in the calculation of such average. Contracts or portions  
38 thereof having a value of not less than twenty-five per cent of the total  
39 value of all contracts or portions thereof to be set aside shall be  
40 reserved for awards to minority business enterprises.

41 (c) Notwithstanding any provision of the general statutes or of any  
42 special act or any municipal charter or home rule ordinance, each  
43 municipality shall set-aside in each fiscal year, for award to small  
44 contractors, on the basis of a competitive bidding procedures,  
45 municipal contracts or portions of municipal contracts for public  
46 works projects for the construction, reconstruction or rehabilitation of  
47 public buildings and the construction and maintenance of highways if  
48 the cost of such projects is paid for with any state funds. The total

49 value of such contracts or portions thereof to be set aside shall be not  
50 more than twenty-five per cent of the average of the total value of all  
51 such contracts let by the municipality for each of the previous three  
52 fiscal years, provided a contract that may not be set aside due to a  
53 conflict with a federal law or regulation shall not be included in the  
54 calculation of such average. Contracts or portions thereof having a  
55 value of not less than twenty-five per cent of the total value of all  
56 contracts or portions thereof to be set aside shall be reserved for  
57 awards to minority business enterprises.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2006	7-148u
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***PD***      *Joint Favorable*